

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE HERALD, PRIMEO AND THEMA FUNDS  
SECURITIES LITIGATION

This Document Relates To: 09 Civ. 2032

Case No. 09 Civ. 0289 (RMB)

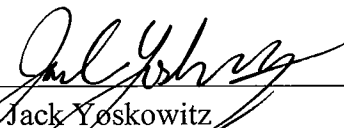
**NOTICE OF APPEARANCE**

PLEASE TAKE NOTICE that the undersigned, an attorney admitted to practice before this Court, hereby respectfully enters his appearance as attorney of record for Defendant Michael Wheaton in the above-captioned proceeding and requests that all subsequent papers be served upon him at the address below.

Dated: New York, New York  
April 25, 2011

Respectfully submitted,

SEWARD & KISSEL LLP

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